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LETTER

TO THE

LADIES AND GENTLEMEN CONTRIBUTORS

TO THE

ROYAL INFIRMARY

OF

EDINBURGH.

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Edinburgh, 15th Dec. 1821.

LADIES AND GENTLEMEN,

I HAVE been frequently, and am almost daily applied to for surgical advice or assistance by persons who have been patients in the Royal Infirmary; and I have never scrupled to take such persons under my charge as freely as any other patients. This proceeding on my part, it appears, has given offence to the surgeons of that Institution, and some of their number, at least, have accused me of decoying or enticing the patients of the Hospital to leave the house, and put themselves under my care. Such accusations having reached me, I found it necessary to demand an ex-

planation from one of the Surgeons, and after some correspondence received a satisfactory apology ; and I hoped that a stop was put to such injurious accusations. It appears, however, that the same accusation has been laid before the Managers of the Royal Infirmary, and that in so formal a way, that I have understood they were on the point of coming to some very strong resolutions against me ; when it was proposed and agreed to, that some of their number should, in the first place, be appointed to converse with me on the subject. In consequence of this resolution, a long conversation took place on the 15th November ultimo, between Mr. Henry Jardine and Dr. Monro, who undertook the matter, and myself. The result of this conversation will be seen from the following letter :

LETTER *to the Committee.*

“ Edinburgh, Nov. 16, 1821.”

“ GENTLEMEN,

“ You yesterday, on the part of the Managers of the Royal Infirmary, made me two propositions, and you laid before me, as the penalty of my non-compliance, the loss of the favour of the Managers, and my perpetual exclusion from the appointment of Surgeon of that Institution. It was your desire that I should take time to consider these propositions and consequences. I beg leave now to give you my deliberate answer.

“ One of the propositions was, *That I should, in future, refuse my assistance to any person who had been a patient in the Royal Infirmary.*

“ To this proposition my deliberate answer is, That I will never refuse my assistance or advice to any person who shall seek it, whether able to pay for it or no.

“ Yesterday, Alexander Jameson *, from Queensferry, applied to me for surgical assistance. He had been nine weeks in the Royal Infirmary. His case was misunderstood. Ought I, lest the reputation of the Surgeons should suffer, to have consigned this poor man to hopeless misery, when I believed it to be in my power, by a very simple operation, to restore him whole and sound to his numerous family?

“ I value very highly the favour of the Managers of the Royal Infirmary; and I do not dissemble my ambition to be appointed a Surgeon to that Institution, but I will not purchase these advantages at such a price. Let the Managers propose, as the terms of admission to the Royal Infirmary, that the patient shall never receive the assistance of any other practitioner, lest the reputation of the House should suffer, and see how the proposition will be relished, either by the Contributors or suffering poor?

“ The other proposition made to me was, *That I should in future abstain from visiting or attending*

* This man was misnamed in the original letter to the Committee: he was there called George Somerville.

the Royal Infirmary. This, also, I beg leave very respectfully to decline.

“ What have I done, that I should be singled out from my brethren, and marked as unworthy to enter that house? I will not, by such compliance, stamp myself with disgrace. Is it because my presence is offensive to the Surgeons, on account of my presuming to treat cases which they have treated unsuccessfully? I feel no call for *their gratification* to forego the opportunities of adding to my surgical knowledge, by observing carefully the cases, and the practice of the Hospital, whether the latter be good or bad. Is it because I am accused of interfering with the patients, and enticing them out of the House? I will take another way of shewing the Managers the falsehood and malice of the charge.

“ Gentlemen, you had the goodness to say, that you were convinced, by my solemn denial of that charge, because you knew me. But you observed that this would not satisfy the rest of the Managers. I am, therefore, called upon to defend my innocence to that body. I will do so, by naming and producing the persons on whom I have operated; that they may be examined how they were induced to leave the House, and apply to me. The Managers have entertained the accusation, and acted on it, and they cannot in justice refuse to hear and examine my defence.

“ I have another claim on the justice of the Managers,—that they name my accusers, in order that

I may call on them to support their charges by evidence, if any they have. It is the part of innocence to challenge inquiry, and that I am resolved to do.

“ And I hope, Gentlemen, I may flatter myself with having your support at the General Meeting of demands so reasonable and so essential to my character and respectability. I have the honour to be,

Gentlemen,

Your most obedient Servant,

(Signed)

ROBT. LISTON.”

“ To Henry Jardine, Esq. and Dr. Monro, a Committee of the Managers of the Royal Infirmary of Edinburgh, appointed to examine into the charge of decoying Patients from that Institution.”

In answer to so serious a charge against my professional honour, I addressed the following Letter to the Managers of the Royal Infirmary, on Monday the 19th.

“ *Edinburgh, 19th Nov. 1821.*

“ GENTLEMEN,

“ I HAVE been examined by a Committee of your number, respecting my having in many instances taken under my care and operated upon persons who had previously been patients in the Royal Infirmary. I have answered all questions with that frankness which a consciousness of the perfect integrity and honour of my conduct naturally dictated. Your Committee have expressed

themselves satisfied with my answers, because of their personal knowledge of me; but they have observed that this is not sufficient for the other Managers. It is, therefore, an imperative duty to my own character that I with truth and freedom explain the circumstances which have led me, and which almost daily lead me to undertake the relief or cure of those who have sought it in vain in the Royal Infirmary; and though I foresee that I shall unavoidably be led into egotism, as well as to disclose to you truths respecting the state of the Hospital far from being agreeable, I will not shrink from the duty.

“ I am accused, I find, of coming about the Hospital, and enticing, by insidious arts, the Patients to leave the Hospital, and put themselves under my care; and I am represented as secretly and cunningly acting a part hostile to the Royal Infirmary, for the purpose of raising for myself a false reputation as a surgeon. These charges I deny with scorn and indignation. They are false and malicious. I never did, directly or indirectly, insinuate to any patient of the House that the practice there followed was bad, or that I myself knew better, nor in any other way did I ever endeavour to entice the Patients to leave the House.

“ To those who know me, I flatter myself this solemn denial will be sufficient. But as I am accused, I offer direct evidence of the truth. I offer the testimony of the persons themselves, whom I have taken under my care after they have been dis-

missed, or who, having lost patience, have left the House and sought my aid. Let these persons be examined respecting their reasons for leaving the House, and for applying to me. Of these, some reside at a distance, but I question not their readiness to come to town to bear witness to my character; and I undertake to produce them.

“ If it be said that these persons, having received benefit from me, or being under my influence, their testimony may not be altogether unquestionable, I can refer you to the testimony of many patients still in the House, to whom I have refused advice on that account. I have very many applications from such persons: my uniform answer has been that I can give them no advice. I have been then asked if I would take them under my care, if they should leave the Hospital. My answer has uniformly been, that I never refuse my assistance to any person. I have been then asked if I would advise the person applying to me to leave the House. My answer has uniformly been, I will give no such advice. In short, let every patient in the Surgeon's Wards be questioned if ever I did, directly or indirectly, seek to induce them to leave the Hospital and come to me.

“ Your Committee observed to me, that it seemed unaccountable that the patients should leave the Hospital, and that they should apply to me only of all the practitioners in town; and they assured me that, by some of the Managers, this fact was of itself considered sufficient to establish against me the charge of using undue means to bring it about. I

am, therefore, called on to account for what seems unaccountable.

“ The task is not an agreeable one, but it is not very difficult. These unaccountable circumstances are to be imputed, I must say it without disguise,

“ *1st*, To the tedious, and most frequently very injurious delay, which almost uniformly takes place in the Hospital in cases requiring operation, before the operation is attempted.

2d, To the unsatisfactory and frequently fatal result of operations when they are attempted.

3d, To my own success in curing those who have been dismissed as incurable ; or who have left the house, and put themselves under my care after imperfect operations ; or from losing patience under their protracted and neglected sufferings.

“ I am aware that the very enunciation of the two first propositions will appear monstrous to you. I will establish their truth by the most unquestionable of all evidence—the books of the Hospital itself ; and I beg leave very respectfully to suggest that the inquiry is necessary, not only to my character, but to the real credit and usefulness of the establishment.

“ In support of the third of these propositions, I beg leave to give the following list of cases. You may, as I have already said, verify them by the examination of the persons themselves ; and I cannot help expressing my confidence that you will do me that justice.”

NAMES.	REMARKS.	EVENT.
JEAN CRAIG.	From Thurso—Aneurism by anastomosis of great toe; four months in the Hospital, which she left rather than submit to the removal of the whole, or half of the foot.	Went home in five or six weeks, cured by the removal of the toe and metatarsal bone only, and without lameness or deformity*.
—HORSBURGH.	From East Lothian—caries of wrist; two months in Hospital; came out in a worse state than when he went in.	Cured in ten days by the removal of the os magnum and end of metacarpal bone.
JOHN ARTHUR.	From Torphichen—Urinary fistula of hip from the falling of a bank of clay on him; eleven months in the Hospital, dismissed incurable in a much worse state than when he entered it; making all his water through the opening, and in general involuntarily. Returned in a year; remained three months, and was again dismissed incurable.	Cured in six weeks, and returned to the country to his employment.
—BISHOP.	From Inverkeithing—Stricture with fistula; six months in Hospital, two years ago; dismissed incurable. Since then, and before his admission, has been unable to make a drop of water through the urethra; all passed through the scrotum, perinæum, and rectum.	Applied a month ago, and is all but cured; will be so in two or three weeks more.

* The incisions were performed in less than fifteen seconds; yet the patient was nearly lost from the hæmorrhage, in spite of the powerful compression of the popliteal. This arose from the excessive activity of both veins and arteries, the former of which were much enlarged, and throbbled most violently. The result of a protracted attempt at removal of the whole metatarsal bones in such circumstances may be imagined. Since the above was written, it has been ascertained that the girl was only about three months in the Hospital.

NAMES.	REMARKS.	EVENT.
— BOOKLESS.	Apprentice to Mr. Giles, Upholsterer, Edinburgh, —caries of os calcis; entertained in the Royal Infirmary for about four months; dismissed very much worse.	Cured in a few weeks, and able to return to his business by the removal of the greater part of the os calcis, and a portion of the astragalus.
ROBERT WHITE.	From Kinross—Imprisoned in the Royal Infirmary for seven weeks, with stone and stricture; the cure of the stricture attempted while the cause remained.	The stone was extracted, and the poor man returned home free of complaint in 14 days.
— BRYDEN.	From Slateford—Polypus of Antrum—Three weeks in Hospital with a large projecting tumour from the right nostril, till a new instrument could be contrived; projecting portions removed, and patient dismissed; tumour returned immediately, with dreadful head-ach.	Antrum opened, and disease removed; enabled thus to return to his labour; has had a slight return of polypus in the nose, which has been removed.*
A. GIBSON.	Coachman, Edinburgh—Axillary aneurism; fourteen days in the Infirmary; tortured by the examinations, bled, and starved; operation refrained from, among other reasons, because A. Cooper, of London, Dupuytren of Paris, and other surgeons of London and Dublin, had failed.	Cured by operation, and has for many months enjoyed good health, and earned, as formerly, a maintenance by laborious exertions.

* This poor man presented himself again, after an absence of about four or five months, with both nostrils, especially the left, filled with polypi. He had been under the care of a quack, who had picked his pocket, and injured him almost beyond remedy, by the application of the undiluted sulphuric acid. The tumours have been removed, but the bones are found extensively absorbed, and the discharge has brought on diarrhœa, and other bad symptoms. It is impossible to answer for the result.

NAMES.	REMARKS.	EVENT.
S. PRINGLE.	Carter—Many weeks in hospital with perineal fistula; projection cut off; dismissed uncured.	Cured in twenty days by the use of the bougie.
D. KEIR.	From Auchtermuchty—Carries of head of tibia; sixteen weeks in the house; disease unknown; dismissed in a worse state than when admitted.	Convalescent, after removal of diseased bone.*
ALEX. JAMESON.	From Queensferry—Abscess of antrum, with thickening of cheek; nine weeks in the house; dismissed unrelieved.	Antrum opened; under cure; and has returned to his family. †
J. MITCHELL.	From Perth—Cancerous sore of forehead; five weeks in House, and dismissed as he came.	Under cure, after removal of the sore; returns home immediately.

“ Many more instances can be brought forward, if thought at all necessary for establishing what has been advanced.

“ These cases, with others in the books of the Hospital, and of which it is unnecessary at present to give any catalogue, will, I flatter myself, account satisfactorily for what some of the Managers have thought altogether unaccountable, but on the supposition of the charge laid against me being true.

“ In concluding this part of my argument, I cannot help observing, that I should indeed possess no

* This young man's health began to fail, and it was thought necessary to remove the limb, rather than run the risk of severe applications so near the knee joint. The amputation was performed fourteen days ago, and the patient has returned home well.

† Came to town yesterday almost quite well, the discharge having nearly ceased.

ordinary gift of the power of persuasion, were I able to entice poor patients to leave the Royal Infirmary, where they have every comfort provided for them, and to go into lodgings on their own expenses, that I might have the opportunity of practising on them, and raising for myself an undeserved reputation.

“Hitherto, Gentlemen, I have been performing a task which has always been considered so arduous that it cannot reasonably be required of any man, viz. that of proving a general negative proposition. I have now to claim of your justice, what is denied to no accused person in this country, that you name my accusers. I have an unquestionable right to know who they are. You have entertained the accusation, and have acted on it; and you cannot deny me the opportunity of calling on these persons, whoever they are, to bring forward their proof of the charge.

“Your Committee made me two proposals, my refusing to comply with which, I was given to understand, would forfeit your favour, and exclude me for ever from the Hospital as a Surgeon.

“1st, That I should, to save the reputation of the Royal Infirmary, in future refuse my assistance to any person who had once been received into that Institution.

“2dly, That I should in future abstain from visiting or attending the Hospital.

“For my answer to these propositions, I beg

leave to refer you to your Committee.—I have the honour to be,

GENTLEMEN,

With the greatest respect,

Your most obedient Servant,

(Signed) "ROBT. LISTON."

I received no answer. Another meeting of the Managers was held on Monday last, the 26th. Still no notice was taken of my letter. I therefore addressed the following letter to the General Meeting of the Managers, on Monday, the 3d current.

"GENTLEMEN,

"I did myself the honour of addressing a letter to you on the 19th current, in answer to a charge which had been laid before you against my character. When you reflect how dear a man's honour ought to be to him, you will bear with me, when I express my disappointment that no attention seems to have been hitherto paid to my letter, and that I yet remain an accused person, with my defence, as far as I have any reason to know, unheeded and unexamined. And I hope you will forgive me for saying, that I did expect of your justice, at least as great readiness to examine my defence as to entertain the accusation. I have now sat three weeks under the charge; and the Meeting which I now address is the third before whom the subject has been brought. In the mean time my character suf-

fers cruelly, and the injurious impression has been greatly extended by the conduct of one of your own officers. At a very full meeting of the Royal Medical Society on Friday night last, the 30th November, the Apothecary of the Royal Infirmary took it upon him very broadly to make the unwarranted insinuation that I had enticed patients out of the Hospital; and in particular, he used the very argument which was mentioned by your Committee, as weighing very much with some of your number, namely, that the circumstance of the patients applying to me only was unaccountable. Situated as I then was—while my answers to the direct charge were before you, for *your* consideration, that *you* might give me redress,—I felt that it was my part, however difficult, to make no answer in that place. I have since found that the general conviction produced on 150 or 200 medical students, many of them my own pupils, was, that I had really acted the dishonourable part so unwarrantably, by insinuation, laid to my charge.

“ My continued silence, it is manifest, can be justified only by the expectation which I confidently entertain, that you will grant me the means of effectually rebutting that false and malicious charge.

“ Gentlemen, in explaining the circumstances which some of your number thought inexplicable, except on the supposition of my being guilty of the charge, I was unavoidably led to state what, in my apprehension, had shaken the confidence of the pa-

tients in the surgeons of the House. I beg leave to repeat, that though in the circumstances I conceive I am not bound to offer any proof, I am quite ready to establish the positions I was under the necessity of bringing forward in my own defence: And I confidently cherish the hope that you will allow me the opportunity of vindicating my character, and of confronting my accusers. The paramount importance of the matter will, I trust, plead my excuse, if I seem to urge it with impatience. In conclusion, I have respectfully to beg that you will, whatever resolution you may enter into, at least favour me with an answer.—I have the honour to be, &c.

(Signed) ROBT. LISTON.

*To the Honourable }
the Managers, &c. }*

On the 4th current I received a note from the Clerk to the Incorporation, stating that my letters had been received, and were under the consideration of the Managers; and I understood that a meeting had been called for Monday, the 10th, on particular business, which I flattered myself was the consideration of my case. In the mean time, on the 6th current, the following letter was received.

Edinburgh, Dec. 4, 1821.

“ DEAR SIR,

From having been unable to attend the two last meetings of the Managers of the Royal Infirmary, I had not had an opportunity of seeing your letter addressed to them on the subject of the Surgical

Patients; but, at the Meeting of yesterday, when that letter was again before the Managers, I observed that in it you have alluded to a Meeting you had had with a *Committee of the Managers* on the subject. Upon this point I must beg leave to explain to you, that if you mean by a Committee of the Managers to allude to the conversation you had with Dr. Monro and myself, that you are mistaken in supposing that we were a Committee appointed or sanctioned by the Managers, as no such Committee was ever appointed, in so far as I know.

At one of the Weekly Meetings of the Managers, it was certainly mentioned that there was a report of your having induced patients to leave the House, in order that they might be under your charge; and you know that I was made acquainted with this report by yourself, from your having sent to me a perusal of the Correspondence * betwixt Mr. Newbigging and you on that subject; but at that meeting, or at no other that I am acquainted with, was there any charge from any individual against you to that effect laid before the Managers.

Upon the subject being thus casually mentioned, Dr. Monro and I said, that as we were both personally acquainted with you, we should take an early opportunity of conversing with you on the subject, from the conviction that we should be enabled to justify you from such an aspersion; but we had no

* Mr. Jardine's recollection has not been accurate in this instance. The correspondence did not shew that such reports were in circulation, but that I had been accused by one of the surgeons of the Hospital.

authority from the Managers for doing so, and I beg that the confidential conversation we had with you on the subject may be distinctly understood as having proceeded from no authority of the Managers, but from our desire to free you from the suspicion of such conduct.

“As you have now brought the matter under the notice of the Managers, you may rely upon their doing all in their power to investigate it.

I remain, Dear Sir,

Yours faithfully,

(Signed) HENRY JARDINE.”

Robert Liston, Esq. Surgeon.

To this Letter the following answer was returned :

“*Edinburgh, 7th Dec. 1821.*

“DEAR SIR,

“Your Letter of the 4th curt. I received yesterday, and I am very happy to find, in the concluding paragraph, the assurance that the Managers will do all in their power to investigate the charge laid against me of enticing the Patients to leave the Hospital.

“One point in your letter has given me very great pain. I have experienced, during a series of years, so much friendship from you ; and in particular, I am so sensible of your friendly views for me in the whole of the present matter, that it is extremely

distressing to suppose that, by allusion to the conversation that took place at your house on the 15th November, I should in any way have committed you with the other Managers. But if you permit me to recal to your recollection the circumstances, I think you will allow me, that the view in which I regarded that conversation, (as with a Committee of the Managers,) was not only natural but unavoidable. On the 12th November, you mentioned to me the accusation of me to the Managers, and that they were on the point of coming to some strong resolution against me (“*of putting an extinguisher on me,*”) which you prevented, by the proposal of a Committee to converse with me, and that Dr. Monro and yourself undertook the duty.

When the conversation took place, it was of the most formal kind, and the result was the proposing the line of conduct for me to pursue, which alone could please the Managers; and I was given distinctly to understand, that perseverance in my former line of conduct would forfeit their favour, and exclude me from the Hospital as Surgeon. To the propositions made me, you would not receive my immediate answer, but insisted I should take time to consider the matter deliberately. The proposition that I should refuse my assistance to any person who had been a patient in the Royal Infirmary, had been made me privately some weeks before by Dr. Monro, and had received from me a positive refusal. That conversation I conceived to be confidential, and never mentioned it. But when the same proposi-

tion was made me in so formal a conversation, and so explicitly, as the condition on which alone I could expect to retain the favour of the Managers, what could I possibly understand but that such was their determination, and that you were the organ to communicate so much to me?

“ I hope I may say, without offending you, (which certainly is the farthest thing possible from my intention,) that on no other supposition could I reconcile your personal share in these propositions, with the zeal with which I have always believed you actuated for the *real* good of the Institution and of the Patients, which is the same thing; and I did suppose that you had only consented to be the organ of such a communication; in the belief that I would reject the propositions, and insist on investigation as I have done.

“ That no accusation against me has been laid before any meeting of the Managers, *to your knowledge*, I perfectly believe on your statement; but that no such accusation has been made to them at all, I must be permitted to say, is altogether inconceivable. When the Managers were on the point of passing such a resolution, as was to have the effect of “extinguishing me” at once and for ever, they must have been influenced by something more than mere vague and casual report. That reports of this kind have been circulated with much industry, I have too great reason to know; but that nothing short of a direct charge from a quarter which gave it great weight, could be the foundation of such a proposed proceeding, appears to me altoge-

ther irresistible. Whether the accusation has been made verbally or in writing, whether to the Managers collectively or separately, whether by one individual or by several, I know not. But the accusation *has been made*, and with no small effect. And you will permit me to remind you, that, in the opening of the conversation on the 15th, you expressly told me that *I had been accused* of enticing the Patients, and particularly in two instances—that of Robert White, and that of Jean Craig.

“ I can be at no great loss to guess the quarter whence the accusation has come. I have bitter enemies, who have spared no pains to spread these scandalous reports; they have done so with mischievous effect, and hitherto with impunity. Nothing ever gave me greater satisfaction than my learning from you, that they had at last ventured on the step of accusing me to the Managers of the Royal Infirmary, because I immediately perceived that they had become tangible. The Managers, therefore, cannot wonder that I should insist on knowing who those persons are. My eagerness to learn this proceeds from no spirit of revenge, but from a most just principle of self-defence—that, by exposing the malice and falsehood of those persons, I may effectually take the sting out of their tongues. I have the honour to be,

Dear Sir,

Your most obedient Servant,

(Signed)

ROBT. LISTON.

To Henry Jardine, Esq.”

The meeting of the Managers of the Royal Infirmary on Monday last, when it was expected that some step would be taken towards the proposed investigation, has passed without producing any thing. On that evening I wrote to Mr. Boswell, clerk to the Managers, inquiring whether he was authorised to make me any communication. Having received no answer, I sent to Mr. Boswell again next morning, and then received a verbal message in return, that when Mr. Boswell should be authorised to give me an answer, he would send it.

In these circumstances, I have been advised by very eminent counsel to bring the matter before the Court of Contributors; and, as a previous necessary step, to circulate this Letter among you. If, by following the latter part of the advice, I bring upon myself a charge of precipitancy, as I doubt not will be the case, let it be considered that four meetings of the Managers have been held, and yet no communication has been made to me of the names of my accusers, or if any step has been taken, or if any is even in contemplation: that, in one suffering so severely * under misrepresentation, impatience is not unnatural; that the matter was to be brought before the next Court of Contributors,

* So strongly has the injurious impresssion been made on the minds of the Students, that many of them who had meant to attend my Class this winter, have been deterred from doing so. My Pupils and Apprentices are frequently told of their danger in being connected with me, and that they will feel it when they come to be examined by the College of Surgeons. This is, to be sure, a bug-bear, but it has all the effect of a reality.

or the opportunity lost for 12 months, and consequently that no time was to be lost in putting you in possession of the case.

I have the honour to be,

LADIES AND GENTLEMEN,

With the greatest respect,

Your most obedient humble Servant,

ROBT. LISTON.

